

RIO GRANDE CITIZENS FORUM
April 21, 2016
Las Cruces City Hall
Las Cruces, NM
***Tentative Meeting Notes**

Board Members in Attendance:

Ray Spears, Captain Game Warden, Texas Parks and Wildlife Department
John Balliew, President/CEO, El Paso Water Utilities
Daniel Chavez, General Manager, Hudspeth County Conservation & Reclamation District No. 1
Yvonne Curry, American Society of Civil Engineers
Francine Jefferson, Community Volunteer
Leticia Jimenez, property owner along Rio Grande
Travis Johnson, attorney, former County Judge
Conrad Keyes, Jr., Chair, Paso del Norte Watershed Council, New Mexico State University Emeritus
Department Head and Professor of Civil Engineering
Walton Low, U.S. Geological Survey hydrologist (retired), Lower Rio Grande Regional Water Plan
Technical Advisory Group
Sal Masoud, Del Rio Engineering, El Paso Association of Builders Board of Directors
Gill Sorg, City of Las Cruces City Council, President of Friends of the Organ Mountains Desert Peaks,
Board Member of Mesilla Valley Audubon Society
Ryan Ward, Policy Analyst, New Mexico Department of Agriculture

USIBWC Staff in Attendance:

Edward Drusina, Commissioner
Carlos Peña, Principal Engineer
Sally Spener, Secretary
Tony Solo, Area Operations Manager
Luis Hernandez, Chief, Operations & Maintenance Division
Alberto Hinojosa, Falcon Dam Field Office, Supervisory Engineer
Edi Delgado, Falcon Dam Field Office, Electrical Engineer
Kadrieka Maiden, contractor

MxIBWC Staff in Attendance:

Enrique Muñoz

Members of the Public in Attendance:

R. Kimpel, Hudspeth County
Luis Casado, MWH
Ben Stewart, MWH
Carolyna Casillas, citizen
Woody Irving, Bureau of Reclamation
John Sparks, Arcadis
Gerald Rel, NMSU
Joan Woodward, resident along the river
Karen Ray, Elephant Butte Irrigation District

Miguel Legaretta, Texas Parks and Wildlife Department
Stephea Howie, Elephant Butte Irrigation District
Chris Canavan, New Mexico Department of Agriculture
George Pearson
Steve Ainsa, AAECOM
Debbie Lujan, Town of Mesilla
Annabelle Johnson, El Paso resident
Chris Canavan, New Mexico Environment Department

Welcome and Introductions:

At 6:32pm Co-chair Carlos Pena convened the Citizens Forum meeting. He began with a short welcome and introduction, then asked the public attendees and the board to introduce themselves. He then turned the meeting over to USIBWC Commissioner Edward Drusina to recognize new board members.

USIBWC Expectations for the Rio Grande Citizens Forum Board

Commissioner Drusina welcomed the newly-appointed board members and gave a brief background on USIBWC. This forum was established 17 years ago to facilitate the exchange of information between the USIBWC and members of the public about Commission activities between Percha Dam, New Mexico and West Texas. The Rio Grande Citizens Forum has been instrumental in tracking levee improvements, supporting USIBWC efforts to certify levees to FEMA for accreditation, and in reviewing environmental restoration. The information flow is very important to the forum; the board serves as a public ear for us, reporting back issues in the community.

Commissioner Drusina presented each board member with a certificate along with an IBWC coin and returning board members who previously received a coin, received lapel pins.

Carlos Pena introduced and turned the meeting over to the presenter Sally Spener, USIBWC Secretary.

History and Projects of the International Boundary and Water Commission – Sally Spener, USIBWC Secretary:

Sally Spener presented the IBWC Mission Statement; *The International Boundary and Water Commission, United States and Mexico, is responsible for applying the boundary and water treaties between the two countries and settling differences that arise in their application.* She also provided an overview of the Early Boundary Commission. In 1848, the border was placed wrongly because an old map was used. This realization happened because the railroad needed land, so there was a new treaty in 1853 with the Gadsden Purchase that expanded U.S. territory and created a new boundary. The 1884 treaty states what happens to the international boundary when the boundary rivers move. We officially trace our history to 1889 with establishment of the International Boundary Commission as a permanent commission to address boundary disputes when the rivers move.

Ms. Spener went on to discuss boundary monuments, which officially mark the border between the two countries. Monuments were placed within line of sight (does not mean has to be seen by the human eye, but for surveys). Monuments today are made of iron or masonry and were just piles of rocks in the past. IBWC is the agency that officially makes the determination of the international boundary and is responsible for boundary demarcation at bridges and ports of entry. The organization got into the water

business about 100 years ago with the Convention of 1906 relating to delivery of Rio Grande water to Mexico at Ciudad Juarez.

Ms. Spener also summarized the water treaties:

- The Convention of 1933- stabilized the boundary in the El Paso-Juarez Valley, straightened the Rio Grande and put in flood control levees in both countries.
- The 1944 Water Treaty- established modern-day International Boundary and Water Commission. The USIBWC Headquarters is located in El Paso, TX and the Commissioner is a presidential appointee. Officially, the US representatives speak English and the Mexican representatives speak Spanish. We also have simultaneous interpreters at meetings to translate. The 1944 Water Treaty notes the following structure for the Commission; these personnel have diplomatic status reflecting the agency's character as a diplomatic and engineering agency.
 - US Section Treaty Officers:
 - Commissioner
 - Secretary
 - 2 Principal Engineers
 - Legal Advisor
 - Mexican Section Treaty Officers:
 - Commissioner
 - Secretary
 - 2 Principal Engineers
 - Legal Advisor
- 1944 Water Treaty – Rio Grande - U.S. receives 1/3 of the waters arriving in the Rio Grande from 6 Mexican tributaries. Mexico delivers water to the U.S. from Ft. Quitman to the Gulf of Mexico. The Treaty authorized construction of up to three storage dams on Rio Grande; only 2 were built. Water Accounting Division accounts for the national ownership of waters using automated and manual systems. They are able to account for what water belongs to the US and Mexico.
- 1944 Water Treaty – Colorado River - The US has always met its obligation to Mexico to deliver 1.5 million acre-feet per year of Colorado River water. With the drought happening with the Colorado River, there is a probability that by 2018 the amount of water will need to be reduced. Each treaty has water shortage terms.
- Chamizal Convention-- 1963 treaty settled a boundary dispute at El Paso-Cd. Juarez and relocated Rio Grande in a concrete-lined channel and transferred 630 acres of land to Mexico and 193 acres to US.
- 1970 Boundary Treaty – The treaty specifies the boundary is the middle of the river channel of greatest average width over its length. Under the Treaty, the IBWC reviews projects and can move the river back if it ever shifts. IBWC is the official agency that states where the border is and can actually be called to court if there are disputes. IBWC stabilizes or rectifies the channel (numerous rectifications carried out). There are prohibitions on construction in the floodplain that would obstruct or deflect the river's flow so as not to exacerbate flooding or cause the border to shift.

Ms. Spener went on to explain Sanitation projects. The field offices handle sanitation, there are three wastewater treatment plants – Nogales (handles sewage from both countries), South Bay (San Diego, treats Mexican sewage to U.S. standards), Nuevo Laredo (Mexican sewage treated to US standards). Raw sewage was discharged into the river before the plants. Only water quality wording in the 1944

Treaty authorizes Commission to give “preferential attention to the solution of all border sanitation problems.”

The Amistad Dam, located at Del Rio, TX-Cd. Acuña, Coahuila was built in 1969 extends for 75 miles and covers 65,000 acres. Normal conservation capacity is over 3 million acre-feet. The Falcon Dam, located at Falcon Heights, TX-Nva. Cd. Guerrero, Coah was built in 1954; this reservoir covers 78,300 acres at conservation capacity. Normal conservation capacity is 2.6 million acre-feet. The Amistad and Falcon Dam are used for water storage, flood control, hydropower and recreation.

Flood Control – There are 4 Flood Control Projects – Tijuana River, Upper Rio Grande, Presidio, and Lower Rio Grande. There is more environmental perspective that is being looked at (habitat restoration) within the flood control projects. The US and Mexico work together to plan for the necessary flood protection for both countries. USIBWC maintains flood control levees; tracks flow, and operates diversion dams in coordination with Mexico.

The presentation ended and Carlos Peña introduced Tony Solo, the second presenter.

Upper Rio Grand Flood Control Project, Tony Solo, Area Operations Manager, USIBWC

Mr. Solo began with a diagram outlining IBWC’s three Field Offices in the Upper Rio Grande region: American Dam/ Carlos Marin in El Paso, TX; Las Cruces, NM; and Zacarias Dominguez/Ft. Hancock, TX. There are 28 employees. The Rio Grande Canalization Project extends for 105.6 miles from Percha Dam to American Dam. This project assures that water released from Caballo Dam is delivered to Mexico in accordance with the 1906 Convention. Another project is the Chamizal Project; it extends for 4.35 miles within the city of El Paso. This project was constructed in compliance with the Chamizal Convention and the primary purpose is establishing and stabilizing the boundary between the United States and Mexico. The Rectification Project extends for 85.4 miles from the end of the Chamizal to Little Box Canyon. The purpose of this project is to stabilize the boundary between the US and Mexico and provide flood protection to both countries.

Mr. Solo presented diagrams reflecting the Rio Grande American Canals.

- The Rio Grande American Canal Extension: an extension to the American Canal and ends south of Zaragosa Bridge. (15.36 miles)
- The American Canal: this begins at the American Dam and ends in the vicinity of College Arroyo. (3.5 miles)

We perform several maintenance activities this include:

- Levee Maintenance
- Mowing
- Road Grading
- Re-surfacing
- Floodway Mowing
- Channel Maintenance big part of the job
- Sediment removal within river channel
- Sediment removal within arroyos
- American and International Diversion Dams
- American Canal

- Bridge Maintenance
 - Bridge of the Americas
 - Fabens-Guadalupe
 - Fort Hancock – El Porvenir
- Hydrographic Activities

The Upper Rio Grande Field Office has three main missions: Boundary Demarcation, Flood Control and Water Deliveries. Boundary Demarcation is the international boundary between the US and Mexico in the river portion of the boundary, is defined as the middle of the river channel and as agreed upon by the US/MEX Sections of the IBWC.

Mr. Solo went on to explain levee construction and efforts to raise levees to meet FEMA standards, which would reduce flood insurance cost to the local communities. Approximately 123 miles of levees were raised at a construction cost of \$112,000,000.

Water deliveries require maintenance activities that include Bank Stabilization (using rock riprap and woody vegetation), Arroyo Sediment Removal, Arroyo Realignment, and River Channel Sediment Removal. The goals and objectives are maintaining efficient water deliveries to the U.S. Irrigation Districts, Municipalities and Mexico as well as improving operations at Diversion Dams. Reduction in channel carrying capacity reduces water delivery efficiency and creates backwater conditions and drainage problems. River bank instability causes bank failure/lateral migration and may impact maintenance roads and flood protection levees.

Commissioner Ruth signed record of Decision (ROD) on June 4, 2009. This document defines our new way of maintaining the River Corridor while retaining multiple operations/maintenance measures currently conducted for water delivery, flood control, and channel maintenance. This allows for increased flood containment capacity (FEMA levee accreditation) and implements several environmental restoration measures. Restoration Implementation Accomplishments 2009 – 2016 include:

- 11 restoration sites underway (346 acres)
- 27,432 total trees planted
- 1,062 long stem shrubs planted
- 366 estimated acres of salt cedar treated
- 55 groundwater-monitoring wells installed
- Acquired 5.6 acres of water rights in 2013 and 2014
- Irrigated 4 times at Leasburg Ext. Lateral WW8 Site in Las Cruces

The presentation ended with questions and comments.

Questions: Do you have a separate line item in your budget for environmental restoration?

Answer: That would be included in the environmental group's budget. The environmental group handles all our environmental projects.

Public Comments:

Question: Legislation created a recreational trail along the river. Is the Commission aware of those efforts? Would be a great way to promote tourism.

Answer: It's a great program and covers an enormous part of the river.

Question: Feral Hog problem exists near the river in Hudspeth County, Texas. Could this area be opened up to hunting this invasive species? In other areas, you allow bird hunting.

Answer: You need to follow state laws regarding hunting. If you want to hunt on USIBWC land, you should submit your proposal for USIBWC review and clearance.

Rio Grande Citizens Forum New Board Orientation- Sally Spener, USIBWC Secretary:

Sally Spener presented the background on the Citizens Forum and expectations of board members. USIBWC established the first Citizens Forum (CF) Board in 1999 in El Paso, TX-Las Cruces, NM. Program expanded in early 2000s to:

- USIBWC CF in San Diego County
- Colorado River CF in Yuma and Imperial Counties
- Southeast Arizona CF
- Lower Rio Grande CF (TX)

Mexican Section established Citizens Forum boards starting in 2014.

The purpose of the Citizens Forum is to promote the exchange of information between the USIBWC and the community about Commission activities and related projects in the greater El Paso-Las Cruces region. The meetings offer a means to share information with the board and hear about what is happening in different areas. The Citizens Forum is intended to bring together community members, enabling the early and continued 2-way flow of information, concerns, values, and needs between the USIBWC and the general public, water managers, irrigators, neighborhoods, environmentalists, recreational interests, government agencies, etc. We are not a Federal Advisory Committee – there is no majority rule. Meetings are open to public. There are emails sent out for reminders and information is posted on the Citizens Forum web page. All board members are volunteers and receive no payment. Members are encouraged to help share what is happening with their organizations. Wide range of issues are discussed – flood control, watershed, environment, etc.

Past agenda items have included:

- Levee improvement projects
- Rio Grande water quality studies
- Rio Grande water supply

Quarterly public are meetings are held in El Paso and Doña Ana Counties and board members expected to attend all meetings.

Board Member duties:

- Review and comment on projects and documents
- Discuss Commission activities and projects
- Present information on related activities
- Bring issues to attention of the USIBWC

The board is made of 14 community board members plus USIBWC Principal Engineer and Two Co-Chairs: USIBWC Principal Engineer Carlos Peña and a Community Co-Chair selected by the board. Several board members had initially expressed interest in serving as Community Co-Chair. The board discussed this and decided that Walton Low will serve as Community Co-Chair for the first year and Ryan Ward the second year.

New board went on to establish future meeting dates and location. The meetings will happen the 2nd Thursday of every 3rd Month – July 14, 2016 at USIBWC Headquarters, 6:30pm to 8:30pm and October 13, 2016 in Las Cruces, NM, 6:30pm to 8:30pm

The first field trips and tour were suggested for Friday May 20th, 9am – noon for a half-day tour to American Dam and nearby sites and the habitat restoration site in Las Cruces.

Suggested future agenda items:

- Presentation on levee construction progress
- Update on levee certification by FEMA
- Off-season maintenance, Rectification channel updates (for October meeting)
- Presentation on invasive species (Capt. Spears could identify a presenter)
- Dove and duck hunting season
- budget challenges
- Water quality challenges
- USIBWC interaction with other agencies

Board Orientation/Discussion adjourned at 8:25PM

*Meeting notes are tentative and summarize in draft the contents and discussion of Citizens Forum Meetings. While these notes are intended to provide a general overview of Citizens Forum Meetings, they may not necessarily be accurate or complete, and may not be representative of USIBWC policy or positions.